

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



April 14, 2005

TO: INTERESTED PARTIES

SUBJECT: REQUEST FOR PROPOSALS (RFP) #600-04-607,
ADDENDUM NO. 1 (AD-1)
GREENHOUSE GAS EMISSIONS REDUCTIONS
FEASIBILITY STUDY

Notice is Hereby Given That The Above RFP Is Amended As Follows

Section II, Work Statement and Deliverables, pages 6-7 and 11 through 17, are amended as follows:

“Replace Section II, Work Statement, pages 6-7 and 11 through 17, with the attached revised pages, dated April 14, 2005.”

Section III, Proposal Format and Required Documents, page 24, is amended as follows:

“Replace Section III, Proposal Format and Required Documents, page 24, with the attached revised page, dated April 14, 2005.”

Attached are the most significant questions and answers presented at the Bidder's Conference and received in writing, and a list of conference attendees. Please remember that all Disabled Veteran Business Enterprise Participation Goals or Good Faith Efforts must be met. In order to comply with the Disabled Veteran Good Faith Efforts compliance, the deadline to place an ad is **April 18, 2005**.

All further questions regarding this RFP must be administrative only and directed to the Contract Officer. To ensure timely delivery, technical and cost proposals must be delivered in separately sealed packages to the Energy Commission with your company name on the outside and identified as RFP #600-04-607. **Proposals must be delivered no later than 5:00 p.m., May 2, 2005, to the Energy Commission Contracts Office.**

Except as herein amended, all other terms and conditions shall remain the same.

Sincerely,

Elizabeth Stone
Contract Officer

Attachments

REQUEST FOR PROPOSALS

GREENHOUSE GAS EMISSIONS

REDUCTIONS FEASIBILITY STUDY



RFP #600-04-607
State of California
California Energy Commission
March 2005

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3	Contractor Certification Clauses
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I. Introduction

BACKGROUND

Section 25730 of the California Public Resources Code directs the California Energy Commission (Energy Commission) to “Acquire and develop data and information on global climate change, and provide state, regional and local agencies, utilities, businesses, industries, and other energy and economic sectors with information on the costs, technical feasibility, and demonstrated effectiveness of methods for reducing or mitigating the production of greenhouse gases from in-state sources, including net reductions through the management of natural forest reservoirs.”

The same Public Resources Code section directs the Energy Commission to prepare and maintain the state's inventory of greenhouse gas emissions. The Inventory of *California Greenhouse Gas Emissions and Sinks: 1990-1999* updates an inventory of sources and sinks of greenhouse gases. The Energy Commission's *Greenhouse Gas Emissions Reduction Strategies for California* discusses, among other topics, proposed strategies to reduce greenhouse gas emissions.

WHAT IS THE PURPOSE OF THIS RFP?

The purpose of this Request for Proposals (RFP) is to select a contractor to assist the Energy Commission in the acquisition and development of data and information on the magnitude of emissions from various Greenhouse gas sources as well as emission reduction potential, costs, technical feasibility, and demonstrated effectiveness of methods for reducing or mitigating the production of greenhouse gas emissions from in-state sources. The data and information acquired and developed is intended to facilitate implementation of greenhouse gas emission reduction projects or actions by state, regional and local agencies, utilities, businesses, industries, and other energy and economic sectors.

The information developed in the course of executing the work tasks outlined in this RFP should encourage projects that are energy efficient, environmentally reliable, economically sound, and consistent with the state's energy and environmental policies.

The contractor shall assist in the following tasks:

Complete Report on Greenhouse Gas Emissions Data

Complete Report on Greenhouse Gas Emissions Reduction Market Assessment

Complete Report on Greenhouse Gas Emissions Reduction Actions

Conduct Feasibility Studies on Greenhouse Gas Emission Reduction Projects in Selected Industry Sectors

Only proposals from Bidders with significant verifiable technical experience and credentials in the above-mentioned areas will be considered for technical merit review.

I. INTRODUCTION, CONTINUED

How Is This RFP ORGANIZED?

This RFP is organized into the following five sections:

- Section I Provides a summary and administrative overview of the RFP Requirements.
- Section II Explains the work to be accomplished, including deliverables and due dates.
- Section III Explains the format, documents and technical expertise needed to submit a successful proposal.
- Section IV Provides administrative detail, including legal requirements of the RFP.
- Section V Explains the evaluation process.

How MUCH FUNDING IS AVAILABLE?

There is a maximum of up to \$300,000 available for the contract resulting from this RFP. Of this amount, \$100,000 is immediately available and the remaining balance, \$200,000, may be available from the 2005-06 fiscal year. The contract award will be made to the responsible Bidder with the lowest total cost from proposals that pass the technical review. This is an hourly rate plus cost reimbursement contract with a ceiling on the total contract amount. The Energy Commission reserves the right to increase or decrease the amount of any contract as needed to meet budget program requirements.

Funding for this RFP comes from fiscal years 2004-2005, and 2005-2006, and is subject to appropriations from the Governor's 2004-2005, and 2005-2006 fiscal year budgets. Of the remaining \$200,000 balance, partial funding of \$100,000 is dependent upon acquiring funding from federal agencies. In the event that funds are not available from the federal or California governments, the Energy Commission shall have no further liability with regard to this contract.

The Energy Commission reserves the right to reduce the amount of the 2004-2005 and 2005-2006 funding to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Energy Commission contracts. In this event, the Contractor and Energy Commission Contract Manager shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

WHAT ARE THE KEY ACTIVITIES AND DATES?

Key activities and times for this RFP are presented below. This is a tentative schedule, please call the Contracts Office to confirm dates.

ACTIVITY	ACTION DATE
RFP Release	March 11, 2005
Deadline for Written Questions	April 5, 2005
Pre-Bid Conference	April 5, 2005
Distribute Questions/Answers and Addenda (if any) to RFP	April 11, 2005
Deadline to Submit Proposals	May 2, 2005

I. INTRODUCTION, CONTINUED

Interviews (mandatory)	May 9-10, 2005
Notice of Proposed Award	May 12, 2005
Energy Commission Business Meeting	June 22, 2005
Contract Start Date	June 30, 2005
Contraction Termination Date	June 30, 2007

How Do I RESPOND TO THIS RFP?

Responses to this solicitation shall be in the form of a Technical and Cost Proposal according to the format described in Section III. The Technical Proposal shall document the Bidder's experience, qualifications, project organization and approach to perform the tasks described in the Work Statement found in Section II, and the Cost Proposal shall detail the Bidder's budget to perform such tasks.

How CAN I OBTAIN FURTHER INFORMATION?

A Pre-Bid Conference will be held to answer questions. Please call (916) 654-4392 to confirm the time and date. Bidders are encouraged to attend this informational meeting:

Tuesday, April 5, 2005, 1:30 p.m.
California Energy Commission
1516 9th Street, Hearing Rm. B
Sacramento, California 95814

Potential Bidders may ask questions about the requirements of this RFP. Bidders must prepare their questions in writing and send or FAX them to the Contact Person (see Who Do I Contact?). At the option of the Energy Commission, questions may be answered orally at the Pre-Bid Conference or in writing. All questions will be answered in writing and will be distributed to recipients of this RFP sometime after the Pre-Bid Conference and posted on the Energy Commission's Web Site at www.energy.ca.gov. Deadline for written questions is April 5, 2005, 2005, by 5:00 p.m.

Who Do I CONTACT?

Questions or clarifications about this RFP should be directed to:

ELIZABETH STONE, CONTRACT OFFICER
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: (916) 654-5125
FAX: (916) 654-4423

This RFP is available through the Energy Commission's Website at:

I. INTRODUCTION, CONTINUED

www.energy.ca.gov/contracts. Copies may be obtained by writing or calling:

California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: (916) 654-4392
FAX: (916) 654-4423

Verbal Communication

Any verbal communication with an Energy Commission employee concerning this RFP is not binding on the State or the Energy Commission and shall in no way alter a specification, term, or condition of the RFP.

WHAT ARE MY RESPONSIBILITIES FOR SUBMITTING A PROPOSAL?

Bidders are responsible for:

- Carefully reading this entire RFP;
- Asking the appropriate questions in a timely manner;
- Submitting all required responses in a complete manner by the required date and time;
- Making sure that all procedures and requirements of the RFP are followed and appropriately addressed
- Carefully reread the entire RFP before submitting a proposal.

II. Work Statement and Deliverables

ABOUT THIS SECTION

This section describes the contract work statement including the tasks the winning Bidder (“Contractor”) will be asked to perform under the direction of the Energy Commission Contract Manager.

BACKGROUND

Section 25730 of the California Public Resources Code directs the California Energy Commission (Energy Commission) to “Acquire and develop data and information on global climate change, and provide state, regional and local agencies, utilities, businesses, industries, and other energy and economic sectors with information on the costs, technical feasibility, and demonstrated effectiveness of methods for reducing or mitigating the production of greenhouse gases from in-state sources, including net reductions through the management of natural forest reservoirs.”

The same Public Resources Code section directs the Energy Commission to prepare and maintain the state's inventory of greenhouse gas emissions. The Inventory of *California Greenhouse Gas Emissions and Sinks: 1990-1999* updates an inventory of sources and sinks of greenhouse gases. The Energy Commission's *Greenhouse Gas Emissions Reduction Strategies for California* discusses, among other topics, proposed strategies to reduce greenhouse gas emissions.

The Energy Commission also supports dissemination of information that may lead to reduced greenhouse gas emissions through numerous other programs dealing with energy issues.

- The Energy Commission administers the Public Interest Energy Research (PIER) Program, which funds research in many energy-related areas.
- The Energy Efficiency Program at the Energy Commission contributes to greenhouse gas reductions through promotion of energy efficiency in building standards, agriculture, manufacturing, water systems, and processing functions.
- The Renewable Energy Program promotes the use of emerging technologies and market development for renewable electricity generation, leading to reduced emissions.
- The Energy Commission's Power Plant Siting Program ensures the siting of new high efficiency, low emission power plants that can reduce overall emissions from electric generation in the state.
- The Transportation Energy and Technology Program provides consumer information, incentives, and infrastructure funding to encourage the use of clean and fuel-efficient vehicles by funding research and utilization of vehicles with lower emissions relative to standard gasoline powered cars.
- The Energy Technology Export Program facilitates exports of energy efficiency projects from California abroad, helping California energy companies assist other nations to become more energy efficient, and thereby reducing greenhouse gas emissions.

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

WILL TRAVEL BE REQUIRED?

Travel will be necessary to complete some of the tasks. Travel expenses incurred will be reimbursed at no more than the State per diem rates for non-represented State employees, and must be included in the Bidder's cost. Receipts for lodging are required and subject to the Energy Commission Contract Manager's approval.

GENERAL REQUIREMENTS

The purpose of this RFP is to select a contractor to assist the Energy Commission in the acquisition and development of data and information on the magnitude of emissions from various sources as well as emissions reduction potential, costs, technical feasibility, and demonstrated effectiveness of methods for reducing or mitigating the production of greenhouse gas emissions from in-state sources. The data and information acquired and developed is intended to facilitate implementation of greenhouse gas emission reduction projects or actions by state, regional and local agencies, utilities, businesses, industries, and other energy and economic sectors.

The information developed in the course of executing the work tasks outlined should encourage projects that are energy efficient, environmentally reliable, economically sound, and consistent with the state's energy and environmental policies.

The contractor shall assist in the following tasks:

- Contract Management
- Complete Report on Greenhouse Gas Emissions Data
- Complete Report on Greenhouse Gas Emissions Reduction Market Assessment
- Complete Report on Greenhouse Gas Emissions Reduction Actions
- Conduct Feasibility Studies on Greenhouse Gas Emission Reduction Projects in Selected Industry Sectors

The selected contractor shall provide technical support services subject to the supervision and direction of the Energy Commission Contract Manager. The scope of work will be identified and defined by the Contract Manager and all work shall be performed under an approved work authorization. The following is the budget for the potential tasks:

<u>Budget Allocation</u>				
Task	<u>FY 2004-2005</u>		<u>FY 2005-2006</u>	
	State	Federal	State	Federal
1. Contract Management	\$15,000		\$15,000	\$15,000
2A. Complete Report on Greenhouse Gas Emissions Data (Code 1X, 3X, 5X, 7X)	\$60,000			

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

2B. Complete Report on Greenhouse Gas Emissions Data (Code 2X, 4X, 6X, 8X, 9X)			\$35,000	\$25,000
3A. Complete Report on Greenhouse Gas Emissions Reduction Market Assessment (Code 1X, 3X, 5X, 7X)	\$25,000			
3B. Complete Report on Greenhouse Gas Emissions Reduction Market Assessment (Code 2X, 4X, 6X, 8X, 9X)			\$15,000	\$10,000
4. Complete Report on Greenhouse Gas Emissions Reduction Actions			\$35,000	
5. Conduct Feasibility Studies on Greenhouse Gas Emission Reduction Projects in Selected Industry Sectors				\$50,000
Sub-Total	\$100,000		\$100,000	\$100,000
Grand Total				\$300,000

TASK 1 - CONTRACT MANAGEMENT

The Contractor(s) shall:

- Respond to requests or direction from the Energy Commission's Contract Manager in a timely fashion.
- Manage the completion of all tasks under the Contract as agreed between the Contractor and the Energy Commission's Contract Manager.
- Provide oversight and first-level review of reports and documentation, and comment on the content of products from the contractor team, as requested by the Energy Commission's Contract Manager on a case-by-case basis.
- Develop project schedules and assign work to the Contractor team to ensure that tasks are completed efficiently, on schedule, and within the budget as agreed between the Contractor and the Energy Commission Contract Manager in the Work Authorization.
- At the request of the Energy Commission's Contract Manager, the Contractor and subcontractors shall be available for meetings or provide written and/or verbal briefings to the Energy Commission's staff or others. The cost of meetings will be included in each Work Authorization. The cost of meetings requested specifically by the Contractor will be borne solely by the Contractor.

Work Authorizations

This is a "Work Authorization" Contract and no work shall be undertaken unless authorized by the Energy Commission through a specific written document called a Work Authorization. The Contractor(s) and/or subcontractors shall begin task work only after receiving a written Work

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

Authorization to do so by the Energy Commission Contract Manager and will be carefully coordinated with current or available support resources.

The specific task and the degree of effort for each task to be performed by the Contractor(s) or subcontractors will vary from project to project. All project work performed by the Contractor team shall be directed by and coordinated with Energy Commission staff as designated by the Energy Commission Contract Manager. The actual cost of a completed, approved Work Authorization shall not exceed the authorized amount. If, in the performance of the work, the Contractor determines that the actual costs will exceed the estimated costs, the Contractor shall immediately notify the Energy Commission Contract Manager.

Any expenses incurred by the Contractor that have not been duly authorized by the Energy Commission Contract Manager shall be borne by the Contractor. No amendments to the Work Authorization shall be made for work undertaken without the specific, written approval of the Energy Commission Contract Manager.

Timely response to specific Energy Commission needs on short notice will be characteristic of some tasks. Identified subcontractor management and staff will be required to be available to the Energy Commission Contract Manager within twenty-four (24) hours of initial contact or submission of a Work Authorization to the Contractor.

Each Work Authorization shall include:

- Contract Number, Task Number, and Work Authorization Number (to be assigned by Energy Commission Contract Manager)
- Purpose, objective, or goal to be undertaken
- Description (work statement) of the work to be accomplished
- Schedule and Deliverables (including any significant material to be developed and delivered and due dates for each)
- Identification of the Contractor/subcontractor team
- Start/End Dates for the Work Authorization
- Contractor's person hours and billing rates
- Subcontractor Amount (if any)
- Any fees (G&A, ODC, etc.)
- Total cost of the Work Authorization

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

Subcontractors

In the event subcontractors are part of the contractor's proposal, the Contractor shall manage and coordinate subcontractor activities. The Contractor is responsible for the quality of all subcontractor work and the Energy Commission will assign all work to the Contractor. When new subcontractors are hired or added, the Contractor shall provide the Energy Commission with updated Disabled Veteran Owned Business Enterprise (DVBE) forms.

Any subcontractor whose work within the proposal would be essential to completion of the tasks in the contract not part of this RFP must be identified as a key subcontractor and identified specifically in the proposal. Unless given specific written permission to the contrary, any change in the assignment of key subcontractors after the award of the contract may be deemed a breach in the agreement by the Energy Commission and may result in the termination of the agreement.

The Contractor shall work directly with and report to the Energy Commission's Contract Manager on contract status and subcontractor work assignments and progress. Contractor will coordinate subcontractor accessibility to the Energy Commission's Contract Manager.

The Contractor shall require subcontractors to provide invoices that correctly identify expenses charged to each contract task. The Contractor shall also provide subcontractor invoices for invoice payments, showing funds authorized, invoices submitted, and status.

The Contractor shall require subcontractors to copy the Energy Commission's Contract Manager with all final, approved work statement deliverables. All work statement deliverables from the contractor team must be submitted as drafts for review and comment to the Energy Commission Contract Manager.

Invoices

The Contractor shall prepare an invoice for all contract expenses performed. The official invoice is to be submitted to the Energy Commission's Accounting Office. The Energy Commission's Contract Manager will specify the invoice format. All Contractor invoices must identify charges by task.

Monthly Progress Reports

The Contractor shall provide monthly progress reports, which summarize all contract activities conducted by the Contractor including contract expenditures to date. The progress report is due to the Energy Commission Contract Manager within 15 days after the end of the month and each progress report shall coincide with the invoice period. The Energy Commission Contract Manager will specify the report format and the number of copies to be submitted. The Contractor shall submit monthly progress reports to the Energy Commission Contract Manager which describe:

- Monthly progress in each task;
- The degree of completion for each task;
- Current and cumulative budget expenditure by task;
- Cumulative contract expenditures;

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

- Variance from planned expenditure schedule;
- Status of deliverables;
- DVBE contract expenditures;
- Problems, and other information requested by the Energy Commission Contract Manager.

The Energy Commission Contract Manager will specify the report format and the number of copies to be submitted. All monthly progress reports will coincide with the invoice period.

Final Report and Final Meeting

The Contractor shall prepare a draft final report that includes Tasks 1 through Task 5. The final report shall be submitted in draft form to the Energy Commission Contract Manager for review and approval. The Contractor shall review recommendations for changes to the report with the Energy Commission Contract Manager and incorporate the agreed-upon changes into the final version of the report. The Contractor shall meet with the Energy Commission to present the findings, conclusions, and recommendations prior to the due date of the final technical report.

After approval of the final report by the Energy Commission Contract Manager, the Contractor shall deliver, two bound paper copies, and one unbound paper copy of the report to the Energy Commission Contract Manager. The unbound copy shall be single sided and camera ready, with graphics that are readable after photocopying. The contractor shall deliver an electronic copy (CD ROM) of full study text in Microsoft Word™ (version 97).

Meeting - Contractor shall meet with the Energy Commission Contract Manager to present the findings, conclusions, and recommendations. Both the final meeting and the Final Report must occur on or before the ending term of this Agreement.

- 1) **Abstracts** - Contractor shall provide a brief (200 words or less) factual abstract of the most significant information contained in the report.
- 2) **Summary** - The summary shall include a statement of the problem, methods or techniques used to solve the problem, conclusions and any additional follow-up or ongoing recommendations. The summary shall be prepared in language and structure easily understood by members of the public who may have limited technical background.
- 3) **Format**--Final reports and summaries shall be prepared in the following manner:
 - Camera-ready originals, in black ink, which include originals of oversize material, and two copies.
 - Illustrations and graphs sized to 8 1/2 x 11 page.
 - Contractor's name shall only appear on the cover and title page as follows:

California Energy Commission
Project Title
Contract Number
By (Contractor)

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

TASK 2 – COMPLETE REPORT ON GREENHOUSE GAS EMISSIONS DATA

For this task, \$60,000 from the Energy Resources Program Account (ERPA) has been allocated in the FY 2004-05 budget to complete Task 2A. An additional \$35,000 from ERPA and an additional \$25,000 from federal sources are anticipated in FY 2005-06 to supplement the Contractor task and complete Task 2B.

The Energy Commission has produced the Inventory of California Greenhouse Gases and Sinks: 1990-1999, which segments California's greenhouse gas emissions into energy, industrial, agricultural, land-use change and forestry, waste, and then further segments the inventory into sub segments. The emissions estimates in this inventory are, in many cases, developed using top-down estimation methodologies, sometimes relying on nation-wide averaged data. Although this inventory identifies in very general terms the sources of greenhouse gas emissions, it may not provide enough information to identify specific sources of California emissions with significant potential for greenhouse gas emissions reductions. To identify these specific sources, a more targeted inventory, using a bottoms-up approach when possible, is most useful.

The Contractor shall, using available data, develop, write, and deliver to the Energy Commission the Greenhouse Gas Emissions Data Report on greenhouse gas emissions that:

- A. segments annual emissions by industry sector;
- B. segments annual emissions by pollutant source category;
- C. evaluates ~~intensity and~~ absolute values of each source by sector/sub sector;
- D. identifies data gaps.

The Contractor shall gather existing data primarily from business and trade associations, industry groups, equipment manufacturers, consultants, project developers, government agencies, and other representative groups. The Contractor may contact representatives from these groups by phone or email to compile industry data. The Contractor shall maintain a contact list as an Excel spreadsheet of all industry representatives contacted. The contact lists will include, at a minimum, the name, company (or other association), email address, and sector (or area of interest) for the contact. The list may also include the contact's title and phone number if available.

The Contractor shall use to the extent feasible, the Energy Commission's California Greenhouse Gas Emissions Inventory and other relevant information that may be available from the Energy Commission's Climate Change Advisory Committee, West Coast Governors Initiative, and the PIER research to provide context.

The Contractor shall segment emissions within the Greenhouse Gas Emissions Data Report by the industry sectors as categorized in the North American Industry Classification System (NAICS) as shown in Table 1.

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

Table 1. NAICS Code and Industry Sector

<u>CODE 1X</u> <ul style="list-style-type: none"> • Agriculture, Forestry, Fishing, Hunting 	<u>CODE 2X</u> <ul style="list-style-type: none"> • <u>Mining</u> • <u>Utilities</u> • <u>Construction</u> 	<u>CODE 3X</u> <ul style="list-style-type: none"> • Manufacturing
<u>CODE 4X</u> <ul style="list-style-type: none"> • Wholesale Trade • Retail Trade • Transportation and Warehousing 	<u>CODE 5X</u> <ul style="list-style-type: none"> • Information • Finance and Insurance • Real Estate and Rental and Leasing • Professional, Scientific, and Technical Services • Management of Companies and Enterprises • Administrative and Support and Waste Management and Remediation Services 	<u>CODE 6X</u> <ul style="list-style-type: none"> • Education Services • Health Care and Social Assistance
<u>CODE 7X</u> <ul style="list-style-type: none"> • Arts , Entertainment, and Recreation • Accommodation and Food Services 	<u>CODE 8X</u> <ul style="list-style-type: none"> • Other Services (except Public Administration) 	<u>CODE 9X</u> <ul style="list-style-type: none"> • Public Administration

The Contractor shall segment emissions within the Greenhouse Gas Emissions Data Report by pollutant source categories such as those shown below.

Mobile Sources

- A. Highway Vehicles: Gasoline and diesel powered automobiles, buses and trucks;
- B. Marine Vessels: Commercial, military and recreational;
- C. Aircraft and Railroads;
- D. Off-Road Equipment: Gasoline and diesel powered lawn and garden equipment, industrial and recreational engines.

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

Stationary Sources

- A. External Combustion Boilers: Electric utility power generation, industrial power generation;
- B. Internal Combustion Engines (both reciprocating engines and turbines): Electrical generators, industrial power generators, commercial and institutional power generation, and engine testing operations;
- C. Industrial Processes: Chemical manufacturing, food and agricultural processes, and primary metal production;
- D. Petroleum and Solvent Evaporation: Petroleum refining processes, surface coating operations, degreasing, industrial dry cleaning, and organic chemical storage;
- E. Waste Disposal: Municipal solid waste disposal, commercial and institutional solid waste disposal, industrial solid waste incinerators including hazardous waste incinerators;
- F. Miscellaneous Source Categories: Food and agricultural processes, agricultural chemical production, styrene and methylacrylate production, use of cellulose based resins.

Area Sources

- A. Stationary Source Fuel Combustion: Industrial and electrical utilities, commercial, and institutional fuel combustion, residential fuel combustion (wood burning fires, gas and charcoal barbecue grills);
- B. Industrial Processes: Construction, mining and quarrying, in-process fuel use;
- C. Solvent Utilization: Surface coating operations, degreasing and commercial dry cleaning, auto body painting and refinishing;
- D. Solvent Storage and Transport: Organic chemical storage, petroleum storage and transport;
- E. Waste Disposal, Treatment and Recovery: Wastewater treatment, open burning and landfills;
- F. Natural Sources: Off-gassing from non-anthropogenic sources (both biological and geological);
- G. Miscellaneous Area Sources: Agricultural crop and livestock production, cooling towers and other combustion activities.

The Contractor shall include within the Greenhouse Gas Emissions Data Report an evaluation of the ~~intensity and~~ absolute values of greenhouse gas emissions for each source category by sector. In some cases, at the discretion of the Energy Commission Contract Manager, the evaluation may be qualitative rather than quantitative. The ~~intensity and~~ absolute values of greenhouse gas emissions will be given for CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆ in absolute tons per year and CO₂ equivalents. The report shall identify data gaps and areas in need of improvements, including, reason for data gaps, potential remedies to data gap, and alternative methods of estimation in instances where data are unobtainable.

Task 2 will consist of two subtasks, Task 2A and Task 2B. For Task 2A, the Contractor shall complete the Greenhouse Gas Emissions Data Report as described above for the sectors with NAICS Codes 1X, 3X, 5X, and 7X.

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

For Task 2B, the Contractor shall complete the Greenhouse Gas Emissions Data Report as described above for the sectors with NAICS Codes 2X, 4X, 6X, 8X, and 9X.

Upon request of the Contract Manager, the Contractor shall provide any and all [non-confidential](#) supporting documentation used in developing the Greenhouse Gas Emissions Data Report.

TASK 3 – COMPLETE REPORT ON GREENHOUSE GAS EMISSIONS REDUCTION MARKET ASSESSMENT

For this task, \$[25](#),000 from the ERPA has been allocated in the FY 2004-05 budget to complete Task 3A. An additional \$[15](#),000 from ERPA and \$10,000 from federal sources are anticipated in FY 2005-06 to supplement the contractor task and complete Task 3B.

The Contractor shall develop, write, and deliver to the Energy Commission the Greenhouse Gas Emissions Reductions Market Assessment Report that:

- A. prioritizes sources by the magnitude of greenhouse gas emissions;
- B. estimates the number of entities that produce greenhouse gas emissions;
- C. estimates the number entities that have initiated / completed greenhouse gas reduction projects;
- D. estimates the number of greenhouse gas reduction projects that have been initiated or completed.

The Contractor shall prioritize or rank sources within the various industry sectors by listing the source emitting the most tons of CO₂ equivalent emissions in order of magnitude. The Contractor shall use the information compiled in the Greenhouse Gas Emissions Data Report as the source of greenhouse gas emissions data. The Contractor shall designate the 25 sources with the greatest tons of CO₂ equivalent emissions as high priority sources, the next 50 highest-emitting sources as medium priority, and the rest as low priority.

The Contractor shall estimate, for the high and medium priority sources, the number of entities within each sector and sub sector for which that source exists.

[The Contractor shall estimate the number of entities that have initiated/completed greenhouse gas reduction projects.](#)

The Contractor shall estimate, for the medium and high priority sources and the number of greenhouse gas emission reduction projects that have been initiated or completed. The Contractor shall identify and characterize each emission reduction project, or at the direction of the Contract Manager, at least 25 projects if there are more than 25 projects, by defining the following:

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

- A. nature of the action;
- B. source/sectors that have implemented the action;
- C. role of the key stakeholders involved in implementing the action;
- D. necessary steps to implement the action;
- E. time required for implementation;
- F. cost of implementing the action;
- G. greenhouse gas emission reductions achieved or anticipated;
- H. petroleum savings;
- I. electricity savings;
- J. criteria pollutant reductions achieved or anticipated;
- K. other savings or benefits.

The Contractor shall gather data primarily from owners or operators of emissions sources or project developers that have been identified by business and trade associations, industry groups, equipment manufacturers, consultants, project developers, government associations, and other representative groups. The Contractor may contact owners, operators, or project developers by phone or email to compile data. The Contractor shall maintain a contact list as an Excel spreadsheet of all owners, operators, or project developers contacted. The contact lists will include, at a minimum, the name, company, email address, and sector for the contact. The list may also include the contacts' title and phone number, if available.

Task 3 will consist of two subtasks, Task 3A and Task 3B. For Task 3A, the Contractor shall complete the Greenhouse Gas Emissions Reductions Market Assessment Report as described above for the sectors with NAICS Codes 1X, 3X, 5X, and 7X.

For Task 3B, the Contractor shall complete the Greenhouse Gas Emissions Reductions Market Assessment Report as described above for the sectors with NAICS Codes 2X, 4X, 6X, 8X, and 9X.

Upon request of the Contract Manager, the Contractor shall provide any and all [non-confidential](#) supporting documentation used in developing the Greenhouse Gas Emissions Reductions Market Assessment Report.

TASK 4 – COMPLETE REPORT ON POTENTIAL GREENHOUSE GAS EMISSIONS REDUCTION ACTIONS

For this task, \$[35](#),000 from the ERPA is anticipated in the FY 2005-06 budget.

The Contractor shall, develop, write, and deliver to the Energy Commission the Potential Greenhouse Gas Emissions Reduction Actions Report that:

- A. identifies / characterizes emission reduction actions that could be taken including:
 - a. new or improved technology
 - b. sequestration

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

- c. efficiency improvements / maintenance
 - d. fuel switching
 - e. conservation and demand reduction
 - f. other
- B. evaluates potential for reduction actions to fulfill market potential by:
 - a. evaluating application of reduction actions to other greenhouse gas emission sources (i.e., replicability)
 - b. estimating costs and benefits of each action

The Contractor shall use data from the Greenhouse Gas Emissions Reductions Market Assessment Report and, to the extent feasible, the information that may be available from the Energy Commission's Climate Change Advisory Committee, West Coast Governors Initiative, and the PIER research.

The Contractor shall generalize the reduction actions identified in the Greenhouse Gas Emissions Reductions Market Assessment Report by developing a broader range of potential applications and defining a range of costs and implementation times. The Contractor shall identify and characterize emission reduction actions by defining:

- A. the nature of the project or action;
- B. applicable source /sectors that could implement the action;
- C. key stakeholders necessary to implement the action;
- D. necessary steps to implement the action;
- E. time required for implementation;
- F. cost of implementing the action.

The Contractor shall identify potential reductions, savings, and benefits that may be achieved if the project were replicated throughout California for all potential applications by defining at both the project level and the state level:

- A. greenhouse gas emission reductions achieved or anticipated;
- B. petroleum savings;
- C. electricity savings;
- D. criteria pollutant reductions achieved or anticipated;
- E. other savings or benefits.

Upon request of the Contract Manager, the Contractor will provide any and all [non-confidential](#) supporting documentation used in developing the Potential Greenhouse Gas Emissions Reduction Actions Report.

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

TASK 5 – CONDUCT FEASIBILITY STUDIES ON GREENHOUSE GAS EMISSION REDUCTION PROJECTS IN SELECTED INDUSTRY SECTORS

For this task, \$50,000 is anticipated from federal sources in the FY 2005-06.

The Contractor shall, using available data, develop, write, and deliver to the Energy Commission the Feasibility Study on greenhouse gas Emission Reduction Projects in Selected Industry Sectors Report that:

- A. calculates the cost/benefit (C/B) of 25 project types;
- B. identifies obstacles for projects;
- C. estimates reductions that could be achieved at different incentive program funding levels;
- D. identifies potential sources of funding for the various sectors.

Further, the Contractor shall identify benefits that may be achieved at the state level if the project were replicated throughout California for all potential applications by defining:

- increased goods or products produced in California (\$);
- jobs created or maintained in California;
- increased tax revenues in California.

The Contractor shall calculate and rank the (C/B) ratio of 25 project types identified in the Potential greenhouse gas Emissions Reduction Actions Report. Cost shall be estimated as total project cost for implementing a given action. Benefits shall be evaluated against environmental, and economic criteria, and consistency with state policy.

The Contractor shall develop criteria in conjunction with the Energy Commission Contract Manager ~~staff~~ to evaluate the cost/benefit of projects. The criteria proposed in Task 5 will be subject to the Contract Manager's approval.

The Contractor shall evaluate projects against the C/B criteria and rank each project from lowest to highest project C/B, i.e., the least cost for the greatest benefit to the greatest cost for the least benefit. The Contractor shall identify if there are monetary, regulatory, institutional, or other obstacles that prevent the projects from being implemented on a California-wide basis. The Contractor shall give a qualitative estimate of potential reductions available from a given project type at various incentive funding levels with a rationale for a given funding level. The Contractor shall identify potential sources of funding for the project types including the name of the funding entity, the name of the funding program if any, a contact person with phone and email address. The funding sources could include federal, state, local, or private funding.

Upon request of the Contract Manager, the Contractor shall provide any and all non-confidential supporting documentation used in developing the Feasibility Study of Greenhouse Gas Emission Reduction Projects in Selected Industry Sectors Report.

II. WORK STATEMENT AND DELIVERABLES, CONTINUED

DELIVERABLES AND DUE DATES

Task Description		Due Date
Task 1:	Contract Management Monthly Progress Reports Final Report	Ongoing 15 th of the Month March 15, 2007
Task 2A:	Greenhouse Gas Emissions Data Report Contact list database or spreadsheet	January 16, 2006
Task 2B:	Greenhouse Gas Emissions Data Report Contact list database or spreadsheet	June 15, 2006
Task 3A:	Market Assessment Report Contact list database or spreadsheet	June 15, 2006
Task 3B:	Market Assessment Report Contact list database or spreadsheet	September 15, 2006
Task 4:	Potential Greenhouse Gas Emissions Reduction Actions Report	October 16, 2006
Task 5:	Feasibility Studies of Greenhouse Gas Emission Reduction Projects in Selected Industry Sectors Report	February 15, 2007

III. Proposal Format and Required Documents

ABOUT THIS SECTION

This section contains the detailed technical and mandatory Proposal format requirements. The format is prescribed to enable the State to evaluate each proposal uniformly and fairly. Format instructions must be adhered to, all requirements and questions in the RFP must be responded to, and all requested data must be supplied.

HOW MANY COPIES OF MY PROPOSAL DO I SUBMIT?

Mail or deliver an **original Proposal and eight (8) copies** to the address given in Section IV. Bidders must submit the technical qualifications and cost proposals in two separately sealed envelopes labeled Volume 1, Technical Proposal and Volume 2, Cost Proposal, for Request for Proposal #600-04-605. Bidders must also submit an electronic version of the technical and cost proposals in a format compatible with Microsoft Word.)

WHAT IS THE REQUIRED FORMAT?

Volume 1

The following topics constitute the mandatory order of presentation for a Proposal. Two-sided copying is preferred:

Section 1—Administrative Response

- Cover Letter
- Table of Contents
- Required Administrative Forms
 - ✓ Contractor Status Form
 - ✓ Small Business Preference Certification letter (if applicable)
 - ✓ Completed Disabled Veteran Business Enterprise forms
 - ✓ Certification Clauses Package

Section 2—Technical Response

- Summary of Approach to Tasks in Work Statement
- Team Qualifications and Relationships
- Team Member Experience and Capabilities
- Team Organizational Chart
- Prime Contractor Experience
- Personnel Experience and Qualifications (including resumes)
- Previous Work Products
- References
- Answers to Hypotheticals

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

Volume 2 – Cost (Sealed Separately)

- Cost Summary Letter
- General Requirements
- Exhibit B-1, Contract Task Budget Summary
- Exhibit B-2, Schedule of Deliverables and Due Dates
- Exhibit B-3, Contractor Fee Calculation
- Exhibit B-4, Rates
- Exhibit B-5, Travel, Equipment, Materials, and Misc. List

VOLUME 1 – SECTION 1, ADMINISTRATIVE RESPONSE

COVER LETTER

Each Bidder shall submit a cover letter on company letterhead that includes:

- A reference to: “REQUEST FOR PROPOSAL, No. 600-04-607”;
- Summary of the Bidder’s ability to perform the services described in the Work Statement; and,
- Statement that the Bidder is willing to perform those services and enter into a contract with the State.

The cover letter must be signed by a person having the authority to commit the Bidder to a contract. If the Bidder claims a Small Business Preference, a statement to that effect shall also be included in the cover letter.

TABLE OF CONTENTS

Each Proposal must include a Table of Contents, organized in the order cited above and include corresponding page numbers.

REQUIRED ADMINISTRATIVE FORMS

Every Bidder must complete and include the following forms with their proposal:

- Contractor Status Form, Attachment 1
- Small Business/Disabled Veteran Business Enterprise Application

When claiming a small-business preference, the Bidder may include a copy of the approved certification letter or application for certification. Government Code Section 14835, et seq., requires that a five-percent preference be given to Bidders who qualify as a small business. See Attachment 2.1 for instructions.

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

- Disabled Veteran Business Enterprise (DVBE) forms in Attachments 2.2. (Bidders who are government entities are exempt from this requirement).
- Contractor Certification Clauses, Attachment 3

VOLUME 1 – SECTION 2, TECHNICAL RESPONSE

Volume 1, Section 2, shall summarize the Bidder's overall approach in completing the tasks outlined in the Work Statement, highlighting any outstanding features and qualifications relevant to performing the required work.

The information in this Section will be used to evaluate your company's approach to the Work Statement. When requested, identify the specific technical staff, the word processing technicians, and the administrative staff who will be directly involved in a contract management task. Exclude anyone whose responsibilities are minimally or indirectly associated with the contract, e.g., the receptionist, the mail room clerk or the security guard.

SUMMARY OF APPROACH TO WORK STATEMENT TASKS

Describe the Bidder's approach to providing services listed in the Work Statement, highlighting any outstanding features, qualifications and experience relevant to performing the duties described in the Work Statement.

TEAM QUALIFICATIONS AND RELATIONSHIPS

Identify and describe the prime contractor (organization/company) and briefly describe each organization on the team, including subcontractors (DVBEs, if applicable), highlighting any special expertise that will be utilized in achieving the project objectives outlined in the Work Statement. Describe the strengths of your organization including accomplishments and past outreach efforts relevant to this project.

TEAM MEMBER EXPERIENCE AND CAPABILITIES

Describe all technical and professional staff members that will be assigned to this project. Clearly define which team members will work on each task area outlined in the Work Statement. Indicate how all team members are qualified to perform the proposed work, showing previous relevant work. Provide the title or classification of each significant team member as it applies to this project, and specify his/her roles and functions that will be utilized for this project. Provide resumes for each team member who will be working on this project including current job classification, education, professional experience, and areas of responsibility in each member's organization. List the availability of each individual by person hours and percentage of time that person will be assigned to each task.

Give examples of each company's experience in performing work within the past 48 months in each of the task areas listed in response to the paragraph above. Explain the relevance of this prior work to the Work Statement and the proposed contract.

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

Describe how your team's expertise will be used to provide the technical support for the work described in this RFP highlighting any special expertise that will be utilized in achieving the project objectives outlined in the Work Statement.

Identify the individual who will oversee and manage the proposed project. State how the project manager has demonstrated capabilities to manage the work proposed, providing at least one example of a similar project managed by that individual.

TEAM ORGANIZATIONAL CHART

Provide an organizational chart that shows the Prime Contractor and the members of the contractor team and the relationships within each firm/company (including subcontractor and DVBE companies). Identify the primary persons responsible for the interface between the Prime Contractor and the Energy Commission, and between each proposed subcontractor and the Prime Contractor. Explain the relationship of each technical staff to the organization of the rest of your company. Describe reliability, continuity, professional awards, location of the Bidder, and subcontractors, including DVBE's.

Include type of organization, composition, functions to be performed by employees of the Bidder, subcontractors or DVBE's and how they pertain to this contract.

Most of the work will involve coordination with the Energy Commission's Sacramento Office. Describe where your company staff and each subcontractor's staff will be headquartered. Describe how you propose to minimize costs to the State while providing technical work under this contract.

CONTRACTOR EXPERIENCE

Describe the Contractor's experience as a lead, general or prime within the past 48 months and explain why your firm is qualified to perform the duties of a prime Contractor as outlined in the Work Statement.

Identify the individual who will oversee and manage the proposed project. Explain how the project manager has demonstrated capabilities to manage the work proposed, providing at least one example of a similar project managed by that individual.

Timeliness

Bidders shall describe their ability to support contract requirements in a timely manner. This includes showing how the Contractor will ensure efficient and timely completion of work tasks. All work-related costs and delays to be incurred by company offices outside of California must be identified. If more than one California office will be involved in any aspect of this contract, those office and staff resources must be identified. If work is to be performed by offices outside of California, explain its impact on administrative and total project cost and timeliness.

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

Unless it is clearly demonstrated to have no adverse effect on the cost to the state in terms of efficiency or additional expense, work incurred outside of California will result in a lower score for this category. Also describe the Contractor's experience in developing cost effective methods for handling contract management assignments (i.e., how the task assignment and follow-up processes can be streamlined to allow for more efficient and expeditious handling of all work undertaken through this contract).

PERSONNEL EXPERIENCE AND QUALIFICATIONS

Describe all technical and professional staff members that will be assigned to this project. Clearly define which personnel will work on each task area outlined in the Work Statement and how all personnel are qualified to perform the proposed work, showing previous relevant work.

Provide the title or classification of each significant personnel member as it applies to this project, and specify his/her roles and functions that will be utilized for this project. Provide resumes for each personnel member who will be working on this project including current job classification, education, professional experience, and areas of responsibility in each member's organization. List the availability of each individual by person hours and percentage of time that person will be assigned to each task.

PREVIOUS WORK PRODUCTS

Describe and provide at least one example of a similar study that demonstrates successfully completed relevant work by your organization or team that includes:

- Study objectives.
- How the target markets were identified and characterized.
- How testing was developed, tested and refined.
- Marketing strategies and creative approaches.
- How the study was implemented.
- How the effectiveness of the study was evaluated.

REFERENCES

Bidders must provide a list of at least four (4) clients or employers who have received similar services from the Bidder or the Bidder's personnel or subcontractors, during the last three (3) years by completing Attachment 4, "Customer References". Such services should be of comparable complexity to the services requested in this RFP. Complete one customer reference form for each company.

All references must include the name and telephone number of a contact person with the contacting organization. These individuals, as well as others, may be contacted by the Energy Commission when reviewing the submitted proposals. Final evaluations filed with the State on

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

Bidder's past contract performance may be reviewed; therefore, the Bidder may wish to discuss any disagreements he/she has with those evaluations.

HYPOTHETICAL QUESTIONS

Each Bidder will be required to respond to the hypothetical.

Question 1:

A project proponent estimates their guacamole processing plant emits 100,023 tons CO₂ per year. By installing CHP, and utilizing waste steam for processing, the applicant estimates that they can reduce their greenhouse gas emissions by 17.2 tons CO₂e per year on a state-wide basis, all guacamole producers could reduce California's greenhouse gas emissions by 3,234,000 tons CO₂e. How would you evaluate these claims?

VOLUME 2—COST

COST SUMMARY LETTER

The RFP response shall state the Bidder's costs for carrying out the project as outlined during the period of the contract. The costs must be displayed using a cost cover letter on the organization's letterhead.

GENERAL REQUIREMENTS

The Contractor must submit information on all the Exhibit B Budget forms and will be deemed the equivalent of a formal bid submission under the Public Contract Code. Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the contractor for this RFP.

The total cost for each task shall include all costs and expenses incurred by the contractor and subcontractors, if any. There will be no additional payments of any kind. In order to show how Bidders calculated task cost, Bidders must provide a detailed budget for each task listed in Exhibits B-1 through B-5 for this project, so the Energy Commission can evaluate reasonableness of task budget.

Provide a detailed budget for each task and product for this project. Describe how you will minimize travel costs (if located out of Sacramento region). Provide the total cost of the project, with a breakdown showing how the cost was determined and method of payment. Dedicated word processing and other clerical support hours to be provided by clerical staff must be shown separately from hours calculated for project management, research, and other professional work.

The Contractor shall be reimbursed for each task in the work statement in accordance with the provisions of the contract budget. Costs must be incurred within the term of the contract. The

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

Energy Commission will accept a federal government audit of general and administrative, overhead, and labor rates. Proof must be provided in the proposal to support your rates. **When preparing these forms, be sure to take into consideration the length of the project and take into account increases in salaries and wages, general and administrative, overhead, etc.**

The rates quoted in the Cost Proposal will become a part of the final contract and will not be changed during the term of the contract. The entire term of the contract and projected rate increases must be considered when preparing the budget. The hourly rates bid are considered capped and shall not change during the term of the contract.

Bidders should note that in addition to names and hourly rates presented in the Cost Proposal, the technical qualifications must contain the resumes of all individuals working on projects. Individual names, corresponding hourly rates, and proposed hours will be struck from the cost Proposal for resumes missing in the technical qualifications.

The following is a list of items that must be included in your project cost:

- Bidder's Direct Labor - List name, classification, and rate per hour and number of hours by task.
- Subcontractors/Consultants – Name, Technical Specialty, rate per hour/day, and number of hours/day by task.
- Travel and per diem - Identify destinations, number of trips, and cost per trip. Travel expenses incurred will be reimbursed at no more than the State per diem rates for non-represented State employees, and must be included in the Bidder's cost. Receipts for lodging are required and subject to the Energy Commission Contract Manager's approval.
- Supplies/Equipment costs specifying equipment to be bought and the disposition of equipment at the end of the contract.
- Information Technology - Cost for machine time – such as cost of computer use (batch mode or time-share) and data entry. Unallowable Costs: expenditures for computers, computer equipment – purchased or leased, software – purchased or leased, and application-development services.
- Fringe benefit costs citing actual benefits or a percentage of personal services costs.
- Overhead Rate - List basis of application and all items charged in overhead
- General and Administrative - List basis of application
- Fee (not allowed on subcontractors invoices)
- Identify any Disabled Veteran Business Enterprise by task and dollar amount.
- Other specific breakdown required.

CONTRACT TASK BUDGET SUMMARY, B-1

These are the total project costs by task, and will be used in the final contract.

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

SCHEDULE OF DELIVERABLES AND DUE DATES, B-2

For each task, insert the planned start and completion dates. Programs awarded under this RFP are currently planned to start no earlier than July 1, 2005. Thus, pick a start date of July 1 or later, and fill in the remaining dates, accordingly.

CALCULATION OF FRINGE BENEFITS, OVERHEAD, GENERAL ADMINISTRATIVE EXPENSES, AND PROFIT RATES, B-3

Using Exhibit B-3, provide overhead, G&A and profit rates (%). Different types of overhead (e.g., direct overhead and indirect overhead) may be combined in a single column if they are applied to the same items. Profit cannot exceed 10%. Change the column headings, if appropriate, to match your chart of accounts.

List items you include in each category (Fringe Benefits, Overhead, and G&A).

Show the formulas you use to calculate billable charges for the columns listed in the detailed Budget sheets. The Contractor may not apply profit to subcontractor invoices, nor may subcontractors apply profit to sub-subcontractor invoices.

DIRECT LABOR BY TASK, B-4

In the first column, "Names/Job Classification - Title," list the names of people who will be conducting the work under this Agreement. If the names are not known, then list the job classification or title (e.g., Graduate Student).

Insert the amount of Energy Commission funds budgeted per task for each of the Names/Job Classifications listed.

TRAVEL, EQUIPMENT LIST, MATERIALS LIST, AND MISCELLANEOUS EXPENDITURES, B-5

The Contractor and all Subcontractors must provide details of "Travel," "Equipment," "Materials," and "Miscellaneous," listed in Exhibit B-6. Task numbers must be entered for all items on each table. Include any meetings, and the final meeting. Also include any other trips that you can identify. Any trips not identified here will need prior written approval by the Energy Commission Contract Manager. Along with the purpose, include the destination, person or people taking the trip, and the amount for each trip.

EQUIPMENT

List equipment that will be purchased partly or in full with Energy Commission funds. Include the name, a description, the purpose and the amount of each piece of equipment. Anything that costs more than \$5,000 and has a useful life of more than 1 year is considered equipment. If possible, funds other than those from the Energy Commission should be used to purchase

III. PROPOSAL FORMAT AND REQUIRED DOCUMENTS, CONTINUED

equipment. Equipment purchased partly or fully with Energy Commission funds will be listed on a UCC.1 form that will be filled out by a Energy Commission Contracts Office prior to the start of the Agreement.

CONTRACT PAYMENTS

The Bidder is required to provide, as part of the proposal response, Exhibit B-1 through B-5 specifying the tasks and deliverables upon which payments will be based. The Bidder must describe in the tasks to be performed, the associated deliverables that will be provided, and the cost for each task. The tasks and deliverables must correspond to the Project Tasks and Deliverables required under the Work Statement.

In consideration for the contract work, the Energy Commission may make payments on the following conditions:

1. No payment in advance of services rendered, and not more frequently than one payment a month.
2. Receipt of a deliverable and progress report.
3. Approval of the deliverable or progress report by the Energy Commission Contract Manager.

IV. ADMINISTRATIVE REQUIREMENTS

WHAT IS AN RFP?

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the criteria in Exhibit A. Every Technical Proposal must establish in writing the Bidder's ability to perform the RFP tasks listed in the Work Statement. The Energy Commission will contract with the Bidder who satisfies the administrative requirements, and technical criteria.

HOW ARE KEY WORDS DEFINED?

Important definitions for this RFP are presented below:

Word/Term	Definition
State	State of California
DGS	Department of General Services
Energy Commission	California Energy Commission
RFP	Request for Proposal, this entire document
Proposal	Formal written response to this document from contractor
Bidder	Respondent to this RFP

CONTRACTOR DEFINITION

The Contractor is defined as the firm that receives the contract for specific tasks from the Energy Commission as a result of this RFP and shall be referred to as the "Contractor" in this RFP. The Contractor has primary and legal responsibility for all of the work within the Work Statement, is an expert in all of the management and administration areas, may be an expert in one or more of the task areas, and manages the work of the entire contract team.

SUBCONTRACTOR DEFINITION

A subcontractor is defined as a firm or individual expert or consultant with financial/technical expertise to supplement the Contractor's expertise. The Contractor in conjunction with the subcontractor team is referred to as the contractor team. The Energy Commission reserves the right to use some or all of the subcontractors belonging to the Contractor team, and to remove, approve and/or designate additional subcontractors during the contract term.

WHEN IS THE DEADLINE FOR QUESTIONS ABOUT THIS RFP?

Potential Bidders may ask questions about the requirements of this RFP. Bidders must prepare their questions in writing and send or FAX them to the Contact Person. Questions will be answered in writing and distributed to recipients of the RFP. **The deadline for written questions is April 5, 2005.**

IV. Administrative Requirements, Continued

WHAT IS THE DEADLINE FOR SUBMITTING PROPOSALS?

All copies of your proposal must be delivered to the Energy Commission Contract Office by **May 2, 2005, 5:00 p.m.**

NOTE

In accordance with Public Contract Code 10344, the Energy Commission will **not** accept late Proposals (delivered after 5:00 p.m.). There are no exceptions to this law.

HOW DO I DELIVER MY PROPOSAL?

A Bidder may deliver a Proposal by:

- U. S. Mail;
- In person; or
- Messenger service.

All Proposals must be **delivered** to the Energy Commission's Contracts Office by 5:00 p.m. on May 2, 2005. If a Bidder chooses either of the last two methods, delivery of all copies prior to 5:00 p.m. on May 2, 2005, must be made during normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday. E-mail and facsimile (FAX) transmissions **WILL NOT** be accepted in whole or in part under any circumstances.

WHERE DO I DELIVER MY PROPOSAL?

California Energy Commission
1516 Ninth Street, 1st Floor
Contracts Office, MS-18
Sacramento, California 95814

HOW MANY COPIES DO I SUBMIT?

Mail or deliver an **original Proposal and six (6) copies** to the address given above. Bidders must submit the technical and cost proposals in two separately sealed envelopes labeled Volume 1, Technical Proposal and Volume 2, Cost for Request for Proposal #600-04-607. Bidders must also submit an electronic version of the technical and cost proposals in a format compatible with Microsoft Word.

ARE THERE IMPORTANT ADMINISTRATIVE DETAILS I SHOULD KNOW?

Bidders' Cost

The Bidder is responsible for the cost of developing a proposal, and this cost cannot be charged to the State.

Drug-Free Workplace

The successful Bidder(s), by signing the final contract, certifies compliance with California Government Code Section 8350 et seq., which relates to providing a drug-free workplace.

IV. Administrative Requirements, Continued

Americans With Disabilities Act

The successful Bidder(s), by signing the final contract, certifies compliance with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C. 12101 et seq.) which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.

Recycled Paper and Products

The successful Bidder(s) shall certify in writing the minimum, if not exact, percentage of recycled content of paper used in the performance of the contract, regardless of whether the product meets the required recycled product percentage defined in Section 12161 and 12200. The successful Bidder(s) may certify that the product contains zero recycled content. (PCC § 10308.5).

IS DISABLED VETERAN BUSINESS ENTERPRISES (DVBE) COMPLIANCE REQUIRED?

Yes. A Short Explanation of the DVBE Process – If you are a non-governmental entity, you must have either three percent DBVE participation, *or* you must demonstrate a good faith effort to obtain DVBE participation. It is important that you thoroughly read the instructions provided on DVBE Form 3. The DVBE compliance process is as follows:

Option A – Commitment to full DVBE Participation – For a Bidder who is a DVBE or who is able to meet the commitment to use identified DVBE(s) to fulfill the full DVBE participation goal.

Option B – Good Faith Effort – For a Bidder documenting its completed effort, made prior to the Bid due date, to obtain DVBE participation that may result in partial or no DVBE participation.

Bidders must provide, prior to contract award, for each DVBE subcontractor, a written agreement signed by the Bidder and proposed DVBE subcontractor(s). The written agreement will include:

- DVBE Scope of Work
- Term of intended subcontract with DVBE
- Rate and conditions of payment
- Total amount of contract to be paid to the DVBE

WHAT IS THE REQUIREMENT FOR “COMMERCIALLY USEFUL FUNCTION” FOR CERTIFIED SMALL BUSINESS, MICROBUSINESS OR DVBE?

A certified small business or microbusiness, or certified DVBE shall provide goods or services that contribute to the fulfillment of the contract requirements by performing a **commercially useful function**.

A certified small business, microbusiness or DVBE is deemed to perform a **commercially useful function** if it does all of the following:

IV. Administrative Requirements, Continued

1. Is responsible for the execution of a distinct element of the work of the contract.
2. Carries out its obligation by actually performing, managing, or supervising the work involved.
3. Performs work that is normal for its business services and functions.
4. Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

A contractor, subcontractor, or supplier will not be considered to perform a **commercially useful function** if the contractor's, subcontractor's, or supplier's role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of small business, microbusiness or DVBE participation.

WILL THE SMALL/MICRO BUSINESS PREFERENCE BE APPLIED?

Yes. Each Bidder who is a State certified small/micro business will receive a cost preference of five percent of the lowest cost or price offered by the lowest responsible Bidder who is not a certified small/micro business, by deducting this five percent from the small/micro business Bidder's cost, for the purpose of comparing costs for all Bidders.

Non-Small Business Preference

The preference to a Non-Small Business Bidder that commits to Small Business or Microbusiness subcontractor participation of (25%) of its net bid price shall be (5%) of the highest responsive, responsible Bidder's total score. A Non-Small Business which qualifies for this preference may not take an award away from a certified Small Business. The Small Business or Microbusiness must perform a commercially useful function. A copy of prime contractor's subcontract with a certified Small Business or Microbusiness must be provided before award of contract.

A Certified Nonprofit Veteran Service Agency (NVSA) Small Business Certification

NVSAs can qualify for California Small Business certification through the Department of General Services (DGS), Procurement Division, Office of Small Business and DVBE Certification. Small Business/NVSAs participating as a prime Bidder are eligible for application of the (5%) Small Business bidding preference when they meet bid standards including:

- Determined to be a responsible Bidder that submitted a timely responsive bid, and
- Indicated in the bid eligibility for the preference.

CAN I USE SUB-CONTRACTORS?

Yes. Any subcontractors the Bidder chooses to use in fulfilling the requirements of this RFP, that are expected to receive more than ten percent (10%) of the value of the contract, must also meet all administrative and technical requirements of this RFP. The Bidder must provide a summary of each subcontractor's qualifications, including DVBE firms, experience and duties that would be performed under the Work Statement.

IV. Administrative Requirements, Continued

Also, for all DVBE firms regardless of the amount they receive, Bidders must provide a summary of the DVBE's qualifications, experience and duties that would be performed under the Work Statement. The summary shall contain the information requested in, and format required by, Section IV. DVBE cost information must also be included in the Cost Proposal.

The Contractor is responsible for the quality of all subcontractor work, and may only replace subcontractors as specified under the terms of the contract.

How Do I RESPOND TO THIS RFP?

Responses to this solicitation will be in the form of a Technical and Cost Proposal according to the format described in Section III. The Technical Proposal shall document the Bidder's experience, qualifications, project organization and approach to perform the tasks described in the Work Statement found in Section II, and the Cost Proposal shall detail the Bidder's budget to perform such tasks.

CAN THE ENERGY COMMISSION CANCEL THIS RFP?

Yes, if it is in the State's best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or
- Reject any or all Proposals received in response to this RFP

CAN THE ENERGY COMMISSION AMEND THIS RFP?

If the RFP must be amended, the Energy Commission will mail a formal written addendum to all parties who requested the RFP and will also post it on the Energy Commission's Website <www.energy.ca.gov/contracts> and Department of General Services' Website <www.dgs.ca.gov/cscr>.

Errors

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Energy Commission shall not be responsible for failure to correct errors.

WHAT ARE THE CONTRACT REQUIREMENTS?

It is the Bidder's responsibility to read and understand the sample contract terms and conditions, Attachment 5.

Term of the Contract

The term of the contract will be June 30, 2005 to June 30, 2007.

IV. Administrative Requirements, Continued

RFP in Final Contract

The content of this RFP shall be incorporated by reference into the final contract.

Contract Cancellation

The Energy Commission reserves the right to terminate any contract awarded through this RFP by providing 30-days notice to the successful Bidder.

No Contract Until Signed & Approved

No agreement between the Energy Commission and the successful Bidder is in effect until the contract is signed by the Contractor, approved at a Energy Commission Business Meeting, and approved by the Department of General Services.

Contract Amendment

The contract executed as a result of this RFP will be able to be amended by mutual consent of the Energy Commission and the Contractor. The contract may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.

Audit

The Bureau of State Audits may audit a contract awarded under this RFP for a period of three years after the final payment or termination of the contract.

WHAT IF I DECIDE TO MODIFY OR WITHDRAW MY PROPOSAL?

A Bidder may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted Proposal before May 2, 2005, at 5:00 p.m. Proposals cannot be changed after that date and time. A Bidder cannot withdraw after that date for Proposals without the concurrence of the Energy Commission. A Proposal cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: “This proposal and the cost estimate are valid for 60 days.”

CAN MY PROPOSAL CONTAIN CONFIDENTIAL INFORMATION?

No. The Energy Commission will not accept or retain any Proposals that are marked confidential in their entirety and Bidders are strongly discouraged from requesting confidential treatment for any of the information contained in a submittal.

HOW DO I KNOW IF I’VE BEEN AWARDED A CONTRACT?

Subsequent to the Proposal evaluations, the Energy Commission will post a “Notice of Proposed Award” at the Energy Commission’s headquarters in Sacramento, and on the Energy Commission’s Web Site, on or about May 12, 2005, after 12:00 noon at:

California Energy Commission
Contracts Office
1516 Ninth Street, MS-18
Sacramento, CA 95814

IV. Administrative Requirements, Continued

A contract will be awarded to the Bidder who satisfies all the administrative and technical requirements and who provides

WHAT HAPPENS TO MY DOCUMENTS?

On the Notice of Proposed Award date all proposals and related material, with the exception of work examples, submitted in response to this RFP become a part of the public record and are available for public disclosure. Bidders who want any work examples they submitted with their proposals returned to them shall provide either sufficient postage, or a U.P.S. or Courier Charge Code. If adequate postage or a charge code is not provided for as mentioned above the documents will be destroyed.

NONDISCRIMINATION CERTIFICATION

Any bid, proposal, or offer for a contract which is submitted by a contractor who has been decertified from contracting with the State by the Department of Fair Employment and Housing (DFEH), shall be deemed to be non-responsive. Refer to the California Notice Register for a list of decertified contractors. (Published by the Office of Administrative Law and available through the Office of State Printing).

ENERGY COMMISSION ISSUED RFP

The California Energy Commission has issued this RFP on behalf of the State of California. The Energy Commission is the sole point of contact concerning this RFP. The Contact Person for questions is:

ELIZABETH STONE, CONTRACT OFFICER

Telephone: (916) 654-5125

FAX: (916) 654-4423

BIDDERS' ADMONISHMENT

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

ON WHAT GROUNDS WOULD MY PROPOSAL BE REJECTED?

A Proposal shall be rejected if:

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.

IV. Administrative Requirements, Continued

- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- It is lacking a properly executed Certification Clauses, Attachment 3.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
- The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
- There is a conflict of interest as contained in Public Contract Code Sections 10410, 10411 and/or 10365.5.

A Proposal may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple proposals for each task.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.
- The Energy Commission may waive any immaterial defect or deviation contained in a Bidder's proposal. The Energy Commission's waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

WHAT ARE THE PROTEST PROCEDURES?

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the Energy Commission cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10378.
- During the five working days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and the Energy Commission Contracts Office.
- Within five days after filing the protest, the protesting Bidder must file with the DGS and the Energy Commission Contracts Office a full and complete written statement specifying the grounds for the protest.
- If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the Energy Commission for the DGS hearing officer consideration.

V. Evaluation

ABOUT THIS SECTION

This section explains how the proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals. A Bidder's proposal will be evaluated and scored based on its response to information requested in Sections II and III.

During the evaluation and selection process, the Energy Commission may interview a Bidder for the purpose of clarification and verification of information provided in the proposal.

HOW WILL MY PROPOSAL BE EVALUATED?

To analyze all Proposals, the Energy Commission will organize an Evaluation Committee whose members have expertise in evaluating consulting services. The Proposals will be analyzed in three stages:

Stage One: Fulfillment of RFP Mandatory Format

The Contracts Office will first identify those Bidders whose Proposals adhere to the required format outlined in Section III; Bidders who do not follow the required format or submit the required forms will be disqualified and eliminated from the competition.

Stage Two: Evaluation of Proposals

The Evaluation Committee will then evaluate and score all remaining Proposals based on the Evaluation Criteria Worksheet, Exhibit A. Bidders will be scheduled for a structured interview to be conducted at the Energy Commission headquarters, 1516 Ninth Street, Sacramento, CA., or through a conference call. The Evaluation Committee will use patterned questions to conduct the interviews. Bidders will be provided a copy of the questions to be addressed and a format for the structured interview. The Committee may, at its discretion, seek clarification of any point in the written technical proposal through a conference call with the affected Bidder. Bidder responses will be scored in accordance with the criteria contained in Exhibit A. All scores are final at this time. Bidders who pass the minimum required score of 900 points will have their proposals proceed to Stage Three.

Those Bidders not attaining the minimum technical score of 900 points (75%), will not have their cost scores opened and will be eliminated from further competition.

Stage Three: Cost Proposal

Those proposals that pass the minimum technical points will have their cost proposal opened. The Small Business Preference will be applied, if applicable.

The contract will be awarded to the Bidder who met the minimum technical and administrative requirements and who has the lowest Final Cost when the Small Business preference (if applicable) is applied.

V. Evaluation Criteria, Continued

DO SMALL BUSINESSES GET EXTRA POINTS?

Yes. Each Bidder who is a State certified small business will receive a cost preference of five percent of the lowest cost or price offered by the lowest responsible Bidder who is not a certified small business, by deducting this five percent from the small business Bidder's cost, for the purpose of comparing cost proposals of all Bidders.

HOW WILL MY PROPOSAL BE SCORED?

The Evaluation Committee will award points based on the following considerations. The point calculations reflect the averages of the combined scores of all Evaluation Committee members.

Fail (0 points)

Zero points are awarded for responses considered to be unacceptable, such as:

- Is not in substantial accord with the RFP requirements;
- Has a potential significant effect on the amount paid or net cost to the State or the quality or quantity of product and/or service;
- Provides an advantage to one competitor over the other competitors, for example, not paying minimum wages.

Minimally Acceptable (1-3 points)

Below average response, such as:

- The proposal states a requirement, but offers no explanation of how or what will be accomplished;
- The response contains a technical deficiency which is an inaccurate statement or reference concerning the how, what, where, or when, which is part of an overall statement or description.

Meets Minimum Requirements (4-6 points)

Average response, such as:

- Satisfies the minimum requirements and describes generally how and/or what will be accomplished.

V. Evaluation Criteria, Continued

Exceeds Minimum Requirements (7-9 points)

Above average response, such as:

- Satisfies the minimum requirements and specifically describes how and/or what will be accomplished in an exemplary manner, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).

Exceptional (10 points)

Superior response, such as:

Exceeds the minimum requirements and specifically describes how and/or what will be accomplished both quantitatively and qualitatively, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).

CRITERIA AND POINTS

The Evaluation Committee will review and evaluate the Proposals and interviews based on the Evaluation Criteria Worksheet. See Exhibit A.

RFP 600-04-607
Request for Proposals for
Greenhouse Gas Emissions Reduction Feasibility Study
Questions and answers
Pre-bid Conference – April 5, 2005

ADMINISTRATIVE QUESTIONS

Q1: In section I, page 3, in the section entitled “what are the key activities and dates,” the table includes an Energy Commission Business Meeting. Does the Commission intend for the contractor to attend this meeting?

A1: The Contractor may choose to attend; however, it is not necessary for the Contractor to be present for the Business Meeting.

Q2: Will the interviews go into the technical scoring or is the technical scoring done prior to the interviews?

A2: The interviews are part of the technical scoring. All Bidders will be interviewed as per the schedule.

Q3: It doesn’t appear that there is anything requested in the technical approach that would show the Commission what the Bidder’s level of effort will be. Reading through the technical approach you could get an idea of what a Bidder plans to do and about how much time it would take to do that, but you don’t have a form to fill out (in the technical proposal) for the number of hours for each staff for each task. Do you request hours per task in the technical approach?

A3: Typically bidders provide their hours in the technical portion and the cost in the cost portion. Bidders must show the number of staff hours it will take to perform tasks by each person listed. However, the Commission does not provide a form for this function. Please note that under “Team Member Experience and Capabilities” on page 21 and “Personnel Experience and Qualifications” on page 23, the RFP requests Bidders to “[l]ist the availability of each individual by person hours and percentage of time that person will be assigned to each task.”

Budget Questions:

Q4: In Section II, there is a table showing the budget allocated to each of the tasks in the RFP. This table does not include any budget to Task 1. This seems inconsistent with the description of the activities to be conducted under Task 1, including routing contract management, delivery of written and/or verbal briefings, preparation of a final report, and attendance at a final meeting. How will the contract budget cover these activities?

A4: The budget has been amended. Please see the addendum.

Q5: Section III page 26 requests that Exhibit B-3 include overhead, G&A and profit rates. Exhibit B-3 also requests fringe rates. Section IV page 33 indicates that “[t]he Energy Commission will not accept or retain any Proposals that are marked confidential in their entirety and Bidders are strongly discouraged from requesting confidential treatment for any of the information contained in a submittal.” The detailed rate information is typically kept confidential by private firms. Can we mark our rate information as confidential? If not, can we omit the detailed rate information requested in Exhibit B-3 and bid fully loaded rates that are inclusive of fringe, overhead, G&A and profit?

A5: No and no. Budget information is not considered confidential, and we must have the breakdown of your firms fringe, overhead, G&A, etc.

Q6: Section III page 26 says that “Profit cannot exceed 10%.” Can you please define how this profit percentage is to be calculated?

A6: If a firm has a profit that is included in the hourly rates, this cannot exceed 10%.

Q7: Hours and billing rates (in the cost proposal) are not evaluated in the scoring. If a firm were able to provide more hours than another firm, will that be considered at all?

A7: The cost proposals will not be considered during the scoring or evaluation process, but will be incorporated into the contract. If a firm were to provide more hours than another, the Evaluation Committee will consider this during the technical review process, and evaluate accordingly. Please refer to Exhibit A, Evaluation Criteria, to see what the Evaluation Committee will be rating.

Q8: The cost covers two fiscal years on Exhibit B-3. Should Bidders submit two separate rates for the two fiscal years for all personnel?

A8: Only if the personnel are to be paid at two different rates for the two different years. Bidders can turn in two forms or add a column to reflect the individual fiscal years.

Q9: The Contract has two years after the money is encumbered. Can you elaborate on where you think the federal funds will come from?

A9: The schedule encumbers the money the last day of the fiscal year, and there will be two years after that to liquidate the money. The second year money has three years, a full year to encumber and two years to liquidate. Please look at the deadlines for the products. The federal funding is anticipated from the U. S. Environmental Protection Agency (EPA).

Q10: There is a fair amount of detail included in the cost proposal, but my understanding is that nothing but the final figure will be considered, is that right?

A10: Yes. The contract will be awarded to the Bidder who meets the minimum technical and administrative requirements and who has the lowest Final Cost when the Small Business preference (if applicable) is applied.

Q11: On page 26, the RFP indicates that the “[c]ontractor may not apply profit on subcontractor invoices,” and on page 25 it indicates a “[l]ist of items that must be include in project cost – fee not allowed on contractor invoices.” Are Bidders allowed to mark up subcontractor invoices by G&A? Can a contractor have a mark-up but not a profit? Is G&A allowed but profit is not?

A11: Typically what is done is a fee for handling subcontractor invoices, basically a handling fee of usually no more than 10%. G&A is typically not a “fee” for subcontractors, but includes general or administrative costs for the prime contractor.

Q12: On the schedules that have the rate break out, do you need it for the prime or everyone on the team?

A12: We need it for everyone you’re going to include in your cost proposal and eventually those that will be invoiced.

Q13: Exhibit B-4, you have labor classification and then a matrix of all of the tasks, are you supposed to be putting hours or dollars in here? Would it be acceptable to provide the number of hours for each individual?

A13: Dollar amounts are what belong on this form. We do ask for your staff hours in the technical proposal, however, we don’t provide a form. This is left up to the Bidder’s

discretion. Some hours should be included in technical proposals and the cost for these hours in cost proposal. Pages 21 and 23 of the RFP, under team member experience, states “identify person hours with individual names and time for each task”.

DVBE, Small Business, and Non-Profit:

Q14: For the non-profit veterans organization, is there a certain percentage that they have to receive for the contractor to receive the 5% credit?

A14: According to the Department of General Services, a Non-Profit Veteran Service Agency (NVSA) must attest to employment of veterans receiving services from the nonprofit veteran service agency for not less than 75 percent of the person-hours of direct labor required for the production of goods and the provision of services performed for each solicitation proposal.

Q15: Is it a 5% plus a 5% for 10%, if you have a small business and veterans?

A15: No. If your business is a certified small business, you qualify for a 5% preference. If your business qualifies as a non-profit veterans agency, you qualify for a 5% preference. You may not claim both and receive a 10% preference.

Q16: Who will take over for the Trade and Commerce Agency?

A16: The Housing and Community Development Agency (www.hcd.ca.gov).

Q17: Does the proposal have to contain the DVBE info?

A17: Your proposal must contain your intended DVBE participation and required documents, or it must contain your good faith effort documents, or it will be rejected. What is not required in your proposal is your subcontract with the DVBE you have identified as receiving 3% of your contracting dollars. The subcontract will be requested from the winning Bidder so that the Energy Commission can review it and deem the DVBE subcontractor “commercially useful.” The resulting contract from this solicitation cannot be awarded to the winning Bidder until the DVBE subcontract has been reviewed by the Energy Commission, and the “commercially useful function” determination has been made.

Confidential Questions

Q18: If the Contractor collects data from an industry association that the industry association considers confidential, is the data confidential or does it become part of the public record?

A18: The answer to this question is unknown. For the Commission to treat data submitted to it as confidential, it must make a determination of confidentiality through a specified process. It is not possible to know in advance what the determination will be. Often, though, a contractor does not submit sensitive data to the Commission directly. Instead, the contractor analyzes the data and then submits a public report to the Commission. It is unknown whether a court would order disclosure of data collected under a Commission contract but never directly submitted to the Commission.

Q19: This is a very comprehensive scope so almost any other work you do could be in some way interpreted as a conflict of interest (COI). So the question is, do you want “Is this a conflict” vs “what is a conflict”?

A19: COI is a case by case consideration. The more specific your question, the easier it is for the Commission to answer in a definitive manner. If you think there is a conflict, please let us know in your proposal cover letter. Or, if you’re helping us evaluate something you can’t evaluate yourself, or if you’re working on a development team, then you need to notify the Contracts Officer or Contract Manager immediately.

Q20: The conflict of interest language in the standard agreement (Attachment 5) for the Greenhouse Gas Reduction Feasibility Study prohibits a firm that obtains the contract from providing services, supplies or "any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract." The end project of this study will include recommendations on the general feasibility of making various kinds of emissions reductions in all sectors of the California economy. Please elaborate on the potential conflicts of interest in providing each of the following types of services:

- 1. Air quality permitting and related environmental support for qualifying facilities selling less than 50 MW to California utilities.**
- 2. Greenhouse gas emissions profiles and technical assistance in California Climate Action Registry reporting by various entities, including municipal utilities.**
- 3. Consulting support for projects planning to sell more than 50 MW to California utilities and support for projects planning to obtain certification from the California Energy Commission.**
- 4. Permitting support for other industries and entities in California, not subject to Commission jurisdiction.**

A20: The quoted language from the terms and conditions stems from Public Contract Code §10365.5. Generally, it is meant to prevent a State contractor from using the end-product of the contract to set up a follow-on State contract for itself. It is not known what the specific end product/recommendations will be from this project, and even with the examples provided, the possibilities are too many and broad to try and cover. Please consult with your own attorney for legal advice on the applicability of this term and condition (or any of them) to your specific set of circumstances.

TECHNICAL QUESTIONS

General Questions:

Q1: In Section III, is there a typo in the hypothetical question 1? Should the second and third sentences be written as follows? “By installing CHP, and utilizing waste steam for processing, the applicant estimates that they can reduce their greenhouse gas emissions by 17.2 tons CO₂e per year. On a state-wide basis, all guacamole producers could reduce California’s greenhouse gas emission by 3,234,000 tons CO₂e.”

A1: Yes and yes. Please see the addendum.

Q2: Why has the Commission issued this contract at this time (i.e., what were the drivers, and what inspired the idea)?

A2: The information collected in the reports of this contract will facilitate GHG emission reduction projects. Also, this information will be useful if there is an incentive program for reductions sometime in the future.

Q3: Is this project continuing any work that the Commission has been doing in-house or under another contract?

A3: This contract continues the information gathering on climate change and GHG emission inventory that the Commission has undertaken since 1988. In some respect, however, this is a new effort. This is the first attempt at a comprehensive bottoms-up analysis of GHG emissions and GHG emission reduction potential in the various industry sectors.

Q4: There are two reports that were mentioned, the GHG Emissions Inventory and the Reduction Strategies report. Were they done by Commission staff?

A4: The previous GHG Emission Inventory (Inventory of California Greenhouse Gas Emissions and Sinks: 1990-1999, Publication # 600-02-001F) was done by ICF. The

Commission has since taken over the inventory and is working on an update. We have revised the previous inventory, and we are undergoing internal review right now. It should be available late spring or early summer of this year.

The Reductions report was done by combined staff and contractors in 1997 and 1998. These two reports were cited as examples; there are many more reports available on our website and other websites.

Q5: How much interaction will there be between the Contractor and Commission staff? Will Commission staff be purely a management role or will there be a lot of back and forth between contractor and staff?

A5: It is anticipated that there will be a lot of interaction when defining the work authorizations and not as much while the Contractor is performing its duties under work authorizations. However, Commission staff may want to utilize the information that the Contractor collects while it is developing the information for the reports. Commission staff will also share available data sources as necessary.

Q6: Will the internal information that you are talking about be made available now while we are working on the proposal or is this something we have to envision?

A6: The draft inventory that the Commission is working on would not necessarily be useful to a Bidder other than to get a general idea of the magnitude of emissions. The previous inventory could serve the same purpose. The Commission wants a better understanding of where we can capture reductions. The Commission wants the most cost-effective reductions and wants to look across all industry sectors. That information would not likely be available from the inventory.

Q7: The words “actions” and “projects” appear in some of the tasks and deliverables. Are “actions” more generic and “projects” more specific?

A7: Yes. A reduction action, such as sequestration in a particular industry sector, can be broader than a specific project, such as putting methane digesters in dairy operations. A specific project has a definite location and definite cost. A project type, such as methane digesters in general with a range of costs, can be considered mid-way between a specific project and a reduction action.

Q8: The project appears to be directed at real emission sources rather than generic categories, such as energy conservation. Is the purpose of this project to determine emission sources?

A8: The Commission is looking for information intermediate between generic categories and specific emission sources and emission control technologies. To the extent possible, this intermediate information should be supported by, and a synthesis of, information on specific sources and projects.

The Commission is trying to look to the future. This project is directed at gathering information on real emission sources where possible and surrogate data where actual data is not available. This “real” emissions data and surrogate data is to be aggregated and synthesized to provide a comprehensive picture of emissions and reduction potential in the various sectors.

Characterization of broad categories is not the objective, but in some industry sector/subsectors, data may not be available and thus would be identified as a data gap and described in qualitative terms.

Q9: I think the Commission is after direct emissions rather than something like “this sector could use less energy and conserve electricity and therefore reduce GHG.” Are you after the sources?

A9: (This comment is correct as it applies to the previous question/answer (Q8/A8). What follows is another aspect of this question.) That’s not (entirely) correct. If you look at the “costs and benefits” in the RFP, benefits include other things such as electricity and petroleum savings. The first criterion is to have GHG reductions - a project must reduce GHGs - but there are other criteria as well, some of which are listed in the RFP. The legislative mandate does include sequestration, which is an action that is “fuzzy.” The Commission will look at all measurable GHG reduction actions.

Q10: Will the scope of work for each task be negotiated for each task order (work authorization)? And if so, doesn’t that mean that it will change between the proposal and the actual task?

A10: No. Tasks will not be negotiated prior to issuing a work authorization. Whenever there is data collection there can be uncertainties, and what the Commission stated in this RFP is the best guess on timeframe and depth of work. The work authorization process will not be used to come up with new tasks or change the nature of the RFP. The purpose of the work authorizations is to specify the timing and depth of the work.

Q11: The RFP calls for a feasibility study for 25 projects for \$50,000, but some may merit more focus than others? Can we gather more or less information for projects depending on merit?

A11: Yes, but we won’t change the number of projects from 25 to 30 or 10.

Q12: If three contractors pass the technical evaluation, the lowest bid wins. Why have a bottoms-up approach to this project, because a Bidder could put together a cost proposal that is a low dollar value but not do as much as an Bidder who submits a proposal closer to the full budget?

A12: We were trying to anticipate a budget with an objective in mind. We will be looking at the personnel responsible for evaluating the various tasks, and if, for example, one contractor assigns a high-level staff for mostly working the phones and gathering data, that would be considered against another contractor that perhaps more appropriately applies the level of expertise necessary to accomplish a given task.

Q13: There is clearly \$300,000 worth of work here, but the process encourages bidders to have a price lower than \$300,000. There is pressure not to provide the most value for \$300,000 but to provide the most value for some number with the expectation that you will get at least a 75% technical score. Shouldn't this be a Request for Qualifications (RFQ) process? Should you look for the best firm that can deliver the best product for \$300,000?

A13: The Commission explored its options and decided that the RFP process worked best for this project.

Q14: Both the "Team Member Experience" and "Contractor Experience" sections on page 22 request Bidders to identify an individual who will oversee the project. Is it necessary for Bidders to address this in both sections?

A14: No. This can be addressed in either section, but it must be addressed in the technical proposal.

Q15: Will the contract manager facilitate the contractor's work under this project with other state agencies?

A15: Yes.

Task 1 Questions:

Q16: What type of review process is anticipated for the final report to be prepared under Task 1 of the RFP? Will there be a peer review? Public comment? Will the resulting comments be consolidated by the Commission Project manager?

A16: The final report will be reviewed by Commission staff; the resulting comments will be incorporated by the Contractor.

Q17: The Task 1 Contract Management is amended in the Budget. What is the potential for the 2005-2006 funds?

A17: Yes, the budget was amended. We are looking at federal money that seems to fit very nicely with this RFP, but there are no guarantees. The federal money, which we will seek in the next six months, involves a competitive selection process. In the next month, we will prepare our budget proposal for state funds, and this project currently has priority among our management. The \$100,000 for this year is currently in our budget, and the \$100,000 for next year may have an 80% chance – but that is only a guess - and will be requested on July 1, 2005. Our budget also depends on the state legislature passing a budget.

Task 2 Questions:

Q18: Will the spreadsheets including the results of the Commission’s updated GHG emission estimates be available to the contractor for use in Task 2?

A18: The Commission anticipates the California GHG Emissions Inventory to be released to the public in late spring or early summer.

Q19: In Task 2, Item C, on page 11, there is a reference to “sector / sub sector.” Is there a sense of how low down the subsector categorization you’re thinking is appropriate?

A19: The Contractor and Contract Manager will have to work together and look at the various subsectors and start prioritizing. Every subsector will not have the same level of effort because not every subsector will have the same opportunity for emission reductions. Even though we will have to focus more on some subsectors, we still want a comprehensive picture. It will be a matter of picking and choosing and will involve collaboration and negotiation between the Contractor and Contract Manager.

Q20: In Task 2, on page 11, the RFP indicates that the contractor will be collecting data from business associations and other entities. Are these entities required to provide this data?

A20: No. The Commission hopes the contractor has an established relationship with business associations, which is one of the things the Commission will be looking for in a proposal (Do you have good relations with associations? Do you have a bridge for gaining the data?). But the Commission recognizes that it is voluntary on the part of industry to provide this information.

Task 3 Questions

Q21: Task #3 describes identifying and characterizing emission reduction projects that have been initiated or completed using data from emission source owners and operators and project developers. Given the allocated budget of \$30,000, and the potential magnitude of the undertaking, could you elaborate on the specific expectations for this task?

A21: At most, 25 projects will need to be identified and characterized. Project characterization consists of providing the information outlined in A through K of Task 3 (i.e., nature of the action, source/sectors that have implemented the action, and so on).

Please note that we recognize the open-ended nature of Task 2 and Task 3. The work authorization process allows the Commission to utilize information gathered in earlier work authorizations to specify the work to be undertaken in later work authorizations. That is, with the work authorization process, the Contractor and the Commission Contract Manager may work together to define reasonable expectations regarding the level of detail to included in the deliverables.

One of the overall purposes of this contract is to help the Commission identify potential projects that the Commission can influence beyond this contract and to try to facilitate actual GHG emission reductions in some high priority areas.

CALIFORNIA ENERGY COMMISSION PRE-BID CONFERENCE

RFP: 600-04-607
April 5, 2004

VOLUNTARY SIGN-IN: You are not required to sign this sheet or provide any information as a condition for attending or participating in this meeting. However, if you want to receive notices of future meetings on today's topics, or be identified as a small or disabled veteran owned business, please write your name and address in the spaces below. A copy of this list is mailed with the questions and answer sets to all those who requested a copy of this RFP.

††Please use black ink only††

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